

REMARKS

Claims 14-28 were previously pending in the application. By the Amendment, Claims 14, 20 and 26 are currently amended, Claims 19 and 21 are canceled without prejudice, and Claims 15-18, 22-25, 27 and 28 remain unchanged. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116 because the Amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution and raised by the Examiner in the previous Office Action; (c) does not present any additional claims without canceling the corresponding number of finally-rejected claims; and (d) places the application in better form for appeal, should an appeal be necessary. The Amendment was necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of the Amendment is thus respectfully requested.

The claims stand rejected under the cited prior art of record. Specifically, Claims 14-18, 23, 24 and 26 were rejected under 35 USC §102(b) as being anticipated by Kolze et al. (U.S. Patent No. 4,697,608). Claims 19 and 21 were rejected under 35 USC §103(a) as being unpatentable over Kolze in view of Charboneau et al. (U.S. Patent No. 3,849,031). Claims 20 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kolze in view of Charboneau and Tirelli (U.S. Patent No. 3,945,399). Claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kolze in view of Tirelli, and claims 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kaselow (U.S. Patent No. 4,830,602) in view of Kolze.

Independent claim 14 of the present application recites a gas tap that includes a gas path and further includes an electromagnetic safety valve for closing the gas path. The safety valve includes an armature housing with a mobile magnetic anchor in the housing and a valve seat. The mobile magnetic anchor includes a valve closing element which presses on the valve seat to close the gas path. At least two magnetic anchor guide sections

are positioned and axially spaced apart in the armature housing to guide the magnetic anchor, where the two magnetic anchor guide sections are made from different materials, a first one of the two magnetic anchor guide sections being made from metal and a second one of the two magnetic anchor guide sections being made from a plastic material. An electromagnetic coil activates the mobile magnetic anchor and the valve closing element to close the gas path when voltage is applied to the electromagnetic coil. Also, the electromagnetic coil is arranged as a separate component outside of the armature housing on a magnetic insert. Independent claim 26 recites a magnetic insert with the foregoing features as applicable.

Claims 14-18, 23, 24 and 26

Without conceding this rejection, claims 14 and 26 have been amended to include the subject matter of claims 19 and 21. Applicants thus respectfully submit that the rejection of these claims under 35 U.S.C. §102(b) is moot. Withdrawal of the rejection is requested.

Claims 19 and 21

With regard to the rejection of claims 19 and 21 under 35 U.S.C. §103(a), as this rejection may be applied to amended claims 14 and 26, this rejection is respectfully traversed. As noted, claims 14 and 26 have been amended to include the subject matter of claims 19 and 21. In particular, claims 14 and 26 define at least two magnetic anchor guide sections positioned and axially spaced apart in the armature housing to guide the magnetic anchor, where the at least two magnetic anchor sections are made from different materials, a first one of the magnetic anchor guide sections being made from metal, and a second one being made from a plastic material. As described in the specification, by separating the armature housing into two parts, at least one part can be made from a cost-effective plastic material. The one part made from metal facilitates the effectiveness of the electromagnetic coil with the mobile magnetic anchor.

In this context, the Office Action contends that Charboneau “teaches the use of armature guide sections as a means to prevent rotation on the armature and to keep it parallel to the axis.” Without conceding this characterization of the Charboneau patent, Applicants respectfully submit that Kolze and Charboneau, taken singly or in combination,

fail to disclose or suggest the claimed two magnetic anchor guide sections, with each section being made from a different material. In contrast, Kolze includes an armature sub-assembly 56 having a one-piece elongated tubular armature guide 58 formed of an elastomeric material. Charboneau discloses that the armature assembly 64 is movable within a tubular liner 40, which is formed of a non-magnetic material. See, for example, col. 1, lines 49-52. Applicants thus respectfully submit that the rejection is misplaced.

Moreover, the Office Action in fact does not reference a teaching or suggestion in either Kolze or Charboneau that purportedly discloses two magnetic anchor guide sections, with each section being made from a different material. Applicants thus submit that the Office Action fails to set forth a *prima facie* case of obviousness. **For at least this reason, Applicants submit that the finality of the Office Action is premature and should be withdrawn.**

Claims 15-18, 23 and 24 depend from claim 14 and are allowable for the same reasons and also because they recite additional patentable subject matter.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 20 and 25

Applicants respectfully submit that the Tirelli patent does not correct the deficiencies noted above with regard to Kolze and Charboneau. As such, Applicants submit that these claims are allowable at least by virtue of their dependency on an allowable independent claim and also because they recite additional patentable subject matter. Withdrawal of the rejection is requested.

Claim 22

Applicants submit that this rejection is moot at least in view of the amendments to claim 14, from which claim 22 depends. Applicants submit that claim 22 is allowable by virtue of its dependency on an allowable independent claim and because it recites additional patentable subject matter. Withdrawal of the rejection is requested.

Claims 27 and 28

Applicants submit that this rejection is also moot in view of the amendments to claim 14. Claims 27 and 28 depend from claim 14 and are allowable for the same reasons

and also because they recite additional patentable subject matter. Withdrawal of the rejection is requested.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 14-18, 20 and 22-28 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

/James E. Howard/

James E. Howard
Registration No. 39,715
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BSH Home Appliances Corporation
100 Bosch Blvd.
New Bern, NC 28562
Phone: 252-639-7644
Fax: 714-845-2807
james.howard@bshg.com